

REP.EDGE SUBMITS THE FOLLOWING:

STATEWIDE REVENUE

90.hf. (SR: Health and Human Services Funding) (A) The source of funds appropriated in this provision is \$195,457,066 from the Health Care Annualization and Maintenance of Effort Fund. By this provision these funds are deemed to have been received and are available for appropriation.

(B) The State Treasurer shall disburse the following appropriations by September 1, 2010, for the purposes stated:

- (1) J02 Department of Health and Human Services
Medicaid Maintenance of Effort.....\$ 153,315,492;
- (2) J04 Department of Health and Environmental Control
Rape Violence Centers\$ 400,000;
- (3) L04 Department of Social Services
Child Support Enforcement Penalties\$ 18,141,574;

The below funds shall be disbursed for the purpose of agency operating expenses.

- (4) J04 Department of Health and Environmental Control.....\$ 7,600,000;
- (5) J12 Department of Mental Health.....\$ 12,500,000;
- (6) J16 Department of Disabilities and Special Needs\$ 12,500,000;
- (7) H73 Vocational Rehabilitation.....\$ 400,000;
- (8) J20 Department of Alcohol and Other Drug Abuse Services.....\$ 500,000; and
- (9) L24 Commission for the Blind\$ 100,000.

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

REP. WHITE SUBMITS THE FOLLOWING:

STATEWIDE REVENUE

90.rd. (SR: Repayment of Deficit) The State Treasurer is directed to transfer, prior to the close of the books for Fiscal Year 2009-10, the sources of revenue identified in this provision for the repayment of the Fiscal Year 2008-09 general fund operating deficit. The transfers are to be made in the following priority order as funds are available:

- (1) Excess Fiscal Year 2009-10 general fund revenue above the statewide adjusted agency appropriations;
- (2) \$2,500,000 from P16 - Department of Agriculture, Subfund 3163, Renewable Energy Infrastructure Grants;
- (3) \$9,431,724 from F03 - Budget and Control Board, Subfund 3146; and
- (4) \$7,341,716 from F03 - Budget and Control Board, Fiscal Year 2009-10 Educational Broadband Spectrum Lease receipts.

Upon the complete repayment of the Fiscal Year 2008-09 general fund operating deficit any remaining funds from sources (2) through (4) are to be transferred in Fiscal Year 2010-11 to the General Reserve Fund.

REP. WHITE SUBMITS THE FOLLOWING:

STATEWIDE REVENUE

90. iec. (SR: Nonrecurring Revenue – Increased Enforcement Collections) For Fiscal Year 2010-11, the Department of Revenue shall continue its efforts pertaining to increased enforcement collections as established in Fiscal Year 2009-10.

The department may collect revenues from any source within its jurisdiction, which may include but is not limited to corporate, individual or sales tax collections but especially shall focus on enforced collections and outstanding liabilities.

These funds shall be deposited in a fund separate and distinct from the general fund as established within the Office of the State Treasurer, except that any motor fuel funds collected as a result of the enforced collection efforts shall be distributed in the same manner as other motor fuel tax revenues are currently distributed.

The Department of Revenue shall develop internal mechanisms to insure the integrity of customary and usual enforced collections. When the department determines that the quarterly customary and usual enforced collections have been exceeded, the department shall deposit the excess funds into the separate and distinct fund not to exceed the totals as provided in this provision.

For the fiscal year beginning July 1, 2009 and ending June 30, 2010, the State Treasurer shall disburse \$3,625,000 to E28 - Election Commission for the 2010 General Election, \$1,000,000 to D05 - Governor's Office of Executive Control of State for transition costs, and \$250,000 to E04 - Lieutenant Governor's Office for transition costs, and shall then disburse quarterly the following funds on a pro rata basis:

<u>(1) Part IA State General Fund.....</u>	<u>\$ 25,051,500;</u>
<u>(2) F03 - Budget and Control Board</u>	
<u>SCEIS.....</u>	<u>\$ 2,841,716;</u>
<u>(3) H03 - Commission on Higher Education</u>	
<u>SREB Dues.....</u>	<u>\$ 413,929;</u>
<u>(4) H59 - State Board for Technical and Comprehensive Education</u>	
<u>CATT Program.....</u>	<u>\$ 7,000,000;</u>
<u>(5) P32 - Department of Commerce</u>	
<u>Deal Closing Fund.....</u>	<u>\$ 5,000,000;</u>
<u>(6) A01 - The Senate</u>	
<u>Reapportionment.....</u>	<u>\$ 1,000,000;</u>
<u>(7) A05 - House of Representatives</u>	
<u>Reapportionment.....</u>	<u>\$ 1,000,000;</u>
<u>(8) F03 - Budget and Control Board</u>	
<u>Reapportionment.....</u>	<u>\$ 20,000;</u>
<u>(9) F03 - Budget and Control Board</u>	
<u>Operating Expenses.....</u>	<u>\$ 1,297,855; and</u>
<u>(10) P28 - Department of Parks, Recreation and Tourism</u>	
<u>Operating Expenses.....</u>	<u>\$ 1,000,000.</u>

Any excess increased tax enforcement collections revenue above the amounts identified in this provision shall be transferred to the General Fund of the State.

To insure that customary and usual enforced collections are unaffected by this provision, the Office of the State Treasurer may not disburse funds from this account until the following schedule of General Fund enforced collections are deposited by the Department of Revenue by the end of each quarter in the fiscal year. If quarterly General Fund enforced collections do not reach the required levels, distributions from this account are suspended for that quarter. The required deposits of quarterly General Fund enforced collections by the end of each quarter are:

<u>July to September 2010</u>	<u>\$ 90,000,000</u>
<u>October to December 2010</u>	<u>\$180,000,000</u>
<u>January to March 2011</u>	<u>\$270,000,000</u>
<u>April to June 2011</u>	<u>\$360,000,000</u>

The Department of Revenue shall report on a quarterly basis to the finance committees of the General Assembly and to the Board of Economic Advisors on the amount of customary and usual enforced collections and the excess collections from the enhanced collection activities. The Department of Revenue shall provide data to the finance committees of the General Assembly and the Board of Economic Advisors on prior years enforced collections to assist in monitoring revenue collection seasonal flows that impact the funding of state government programs.

By this provision these funds are deemed to have been received and are available for appropriation.

AMENDMENT # 60

REP. WHITE SUBMITS THE FOLLOWING:

STATEWIDE REVENUE

90.nrt. (SR: Non-Recurring Revenue Transfers) The Department of Motor Vehicles shall transfer, from any department earmarked or restricted account designated as "special revenue funds" as defined by the Comptroller General's records, \$7,000,000 to H12 - Clemson University for the Drive Train Test Facility and \$1,000,000 to F03 - Budget and Control Board for the SCEIS program.

The Budget and Control Board shall transfer \$1,158,284 of the funds derived from the Educational Broadband Spectrum Lease to the SCEIS program within the Budget and Control Board.

The Department of Transportation shall transfer \$10,000,000 from Subfund 4862, Non-Federal Aid Highway Funds to the General Fund of the State.

The Department of Health and Human Services shall remit to the General Fund of the State from the Medicaid Reserve Fund created pursuant to proviso 90.cs, any loss of general fund revenue as certified by the Board of Economic Advisors as a result of the cigarette surtax enacted by provision 90.cs of this act.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year.

REP. WHITE SUBMITS THE FOLLOWING:

PART III

FISCAL YEAR 2010-11 STATE STABILIZATION FUND

SECTION 1. Pursuant to the State Fiscal Stabilization Fund Program established by Title IV of the American Recovery and Reinvestment Act of 2009 (ARRA), \$346,056,109 of federal funds are authorized for appropriation pursuant to the provisions of this Part.

SECTION 2. (A) The following sums shall be transferred to the following agencies to be expended for the specified purposes to supplement appropriations made for the expenses of state government in the annual general appropriation act for Fiscal Year 2010-11 and the Office of State Budget is directed to increase agency federal fund authorization for funds from the State Budget Stabilization Fund allocated herein:

(1) H63 - Department of Education School District Stabilization	\$ 174,430,646;
(2) H63 - Department of Education, Governor's School for the Arts and the Humanities	\$ 500,000;
(3) H63 - Department of Education, Governor's School for Mathematics and Science	\$ 500,000;
(4) H71 - Wil Lou Gray Opportunity School.....	\$ 308,764;
(5) L12 - John de la Howe School.....	\$ 308,765;
(6) H03 - Commission on Higher Education	\$ 364,440;
(7) H09 - The Citadel.....	\$ 2,363,807;
(8) H12 - Clemson University.....	\$ 16,484,608;
(9) H15 - University of Charleston	\$ 4,988,026;
(10) H17 - Coastal Carolina University	\$ 2,426,619;
(11) H18 - Francis Marion University.....	\$ 2,811,497;
(12) H21 - Lander University.....	\$ 1,594,370;
(13) H24 - South Carolina State University	\$ 3,458,970;
(14) H27 - University of South Carolina - Columbia.....	\$ 26,989,369;
(15) H29 - University of South Carolina - Aiken.....	\$ 1,632,206;
(16) H34 - University of South Carolina - Upstate	\$ 2,129,109;
(17) H36 - University of South Carolina - Beaufort	\$ 385,191;
(18) H37 - University of South Carolina - Lancaster.....	\$ 406,379;
(19) H38 - University of South Carolina - Salkehatchie.....	\$ 346,335;
(20) H39 - University of South Carolina - Sumter.....	\$ 642,876;
(21) H40 - University of South Carolina - Union	\$ 156,660;

(22) H47 - Winthrop University.....	\$	3,415,182;
(23) H51 - Medical University of South Carolina.....	\$	14,201,190;
(24) H53 - Consortium of Community Teaching Hospitals.....	\$	2,184,649;
(25) H59 - Board for Technical & Comprehensive Education.....	\$	23,676,177;
(26) H87 - State Library.....	\$	1,172,758;
(27) P12 - Forestry Commission.....	\$	300,000;
(28) P16 - Department of Agriculture.....	\$	200,000;
(29) P20 - Clemson University - PSA.....	\$	2,600,000;
(30) P21 - South Carolina State University - PSA.....	\$	200,000;
(31) B04 - Judicial Department.....	\$	2,150,000;
(32) C05 - Administrative Law Court.....	\$	100,000;
(33) D10 - State Law Enforcement Division.....	\$	2,409,187;
(34) E20 - Attorney General's Office.....	\$	500,000;
(35) E21 - Prosecution Coordination Commission.....	\$	500,000;
(36) E23 - Commission on Indigent Defense.....	\$	700,000;
(37) N04 - Department of Corrections.....	\$	45,554,564;
(38) N20 - Law Enforcement Training Council.....	\$	50,000;
(39) K05 - Department of Public Safety.....	\$	1,516,728;
(40) P24 - Department of Natural Resources.....	\$	1,145,089;
(41) E08 - Secretary of State.....	\$	40,000;
(42) E12 - Comptroller General's Office.....	\$	50,000;
(43) E16 - State Treasurer's Office.....	\$	50,000; and
(44) F27 - Budget and Control Board, State Auditor's Office.....	\$	111,948;
Total Funds Authorized for Fiscal Year 2009-10.....	\$	346,056,109

(B) Of the funds transferred to the State Law Enforcement Division in this section, the division must utilize the funds to maximize statutorily-mandated law enforcement services.

(C) For purposes of the expenditures authorized by this section, the funds must be used in a manner consistent with the provisions of the State Fiscal Stabilization Fund established by the American Recovery and Reinvestment Act of 2009 and the provisions of this act.

(D) The General Assembly recognizes that the receipt of the funds appropriated in this Part is designed to address a precipitous drop in revenue due to the pending economic crisis and the use of this money to fund recurring expenses is a means to address this shortfall in recurring funds until the economy improves. The General Assembly further recognizes that these funds are temporary in nature and may not be sufficient to address a shortfall in recurring revenue if the current economic crisis extends beyond the period currently contemplated. As a result, the General Assembly strongly encourages state agencies and institutions and school districts receiving these funds to limit the reliance on these funds and make contingency plans that include savings necessary to meet future recurring obligations.

(E) Unexpended federal funds authorized in Part III of the prior appropriation act and in Part III of this act shall be carried forward from the prior fiscal year into the current and subsequent fiscal years and be expended for the same purpose in accordance with federal guidelines.

SECTION 3. This part takes effect upon approval by the Governor.

AMENDMENT # 62

REP. COOPER SUBMITS THE FOLLOWING:

LOTTERY EXPENDITURE ACCOUNT

2.f. (LEA: FY 10-11 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Budget and Control Board as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Budget and Control Board is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2010-11 certified net lottery proceeds and investment earnings and any other proceeds identified by this provision are appropriated as follows:

- (1) Commission on Higher Education--Tuition Assistance Two-Year Institutions \$ 47,000,000;
- (2) Commission on Higher Education--LIFE Scholarships as provided in Chapter 149 of Title 59 \$ 85,356,682;
- (3) Commission on Higher Education--HOPE Scholarships as provided in Section 59-150-370 \$ 7,823,474;
- (4) Commission on Higher Education--Palmetto Fellows Scholarships as provided in Section 59-104-20 \$ 30,277,240;
- (5) Commission on Higher Education--Need-Based Grants \$ 11,631,566;
- (6) Tuitions Grants Commission--Tuition Grants \$ 7,766,604;
- (7) Commission on Higher Education--National Guard Tuition Repayment Program as provided in Section 59-111-75 \$ 1,700,000;
- (8) South Carolina State University \$ 2,500,000;
- (9) Technology--Public 4-Year Universities, 2-Year Institutions, and State Technical Colleges \$ 3,852,636;
- (10) Department of Education--K-5 Reading, Math, Science & Social Studies Program as provided in Section 59-1-525 \$ 41,891,798;

(11) Department of Education--Grades 6-8 Reading, Math, Science & Social Studies Program \$ 2,000,000; and

(12) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 4,700,000.

Fiscal Year 2010-11 funds appropriated to the Commission on Higher Education for Tuition Assistance must be distributed to the technical colleges and 2-year institutions as provided in Section 59-150-360.

Of the funds appropriated to South Carolina State University, \$250,000 may be used for the BRIDGE Program.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2010-11 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, Palmetto Fellows, and HOPE scholarships for Fiscal Year 2010-11 are fully funded.

If the lottery revenue received for Fiscal Year 2010-11 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$260,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process.

For Fiscal Year 2010-11, \$8,400,000 certified from unclaimed prizes shall be appropriated as follows: \$5,722,729 to the Department of Education for K-5 Reading, Math, Science & Social Studies Program as provided in Section 59-1-525 and \$2,677,271 for Technology: Public 4-Year Universities, 2-Year Institutions, and State Technical Colleges. The allocations of Section 59-150-230(D) of the 1976 Code are suspended for the current fiscal year.

Of any unclaimed prize funds available in excess of the Board of Economic Advisors estimate, the first \$2,000,000 shall be directed to the State Library for Aid to County Libraries. The next \$200,000 shall be directed to the School for the Deaf and the Blind for Technology Replacement. The next \$4,000,000 shall be directed to the State Board for Technical and Comprehensive Education for the Allied Health Initiative. The next \$5,470,093 shall be directed for Technology: Public 4-Year Universities, 2-Year Institutions, and State Technical Colleges. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Critical Needs Nursing Initiative Fund - Simulation Technology and Equipment. All additional revenue in excess of the amount certified by the Board of Economic Advisors for unclaimed prizes shall be distributed to the Commission on Higher Education for LIFE, Palmetto Fellows, and HOPE scholarships.

Notwithstanding the provisions of Section 59-150-355 of the 1976 Code or any other provision of law, the Budget and Control Board may distribute funds from the Education Lottery Account on a monthly basis during the final quarter of the fiscal year.